

Military Police

***ARMED FORCES DISCIPLINARY CONTROL BOARDS AND
OFF-INSTALLATION LIAISON AND OPERATIONS***

SUMMARY OF CHANGE

This revision specifies responsibilities of Joint Service commanders (chap 1); outlines responsibilities of commanders of military installations for off-installation enforcement actions (chap 1); specifies establishment, composition, and duties of the Armed Forces Disciplinary Control Boards (chap 2); provides for designating off-limits areas (chap 2); and prescribes procedures for off-installation operations by military law enforcement personnel (chap 3).

History. This issue publishes a revision of this publication. Because the publication has been extensively revised, the changed portions have not been highlighted.

Summary. This regulation prescribes uniform policies and procedures for the establishment, and operation of Armed Forces Disciplinary Control Boards, and off-installation liaison and operations. This revision eliminates provisions for joint Service law enforcement operations and revises board correspondence formats and board procedures.

Applicability. This regulation applies to the following--

- a. Active U.S. Armed Forces personnel of the Army, Air Force, Navy, and Marine Corps, and uniformed services personnel of the Coast Guard, wherever they are stationed. (Provisions of this regulation associated with the term Armed Forces are equally applicable to uniformed services personnel of the U.S. Coast Guard, unless otherwise specified.)
- b. U.S. Armed Forces Reserve personnel only when they are performing Federal duties or engaging in activities directly related to performing a Federal duty or function.
- c. National Guard personnel only when called or ordered to active duty in a Federal status within the meaning of title 10, United States Code.

Proponent and exception authority.. The proponent of this regulation is the Deputy Chief of Staff for Operations and Plans, Department of the Army. The Deputy Chief of Staff for Operations and Plans has the authority to approve exceptions to this regulation which are consistent with controlling law and regulation. The Deputy Chief of Staff for Operations and Plans may delegate this authority in writing to a division chief within the proponent agency in the grade of colonel or the civilian equivalent.

Internal Control Systems. This regulation is subject to the requirements of AR 11-2. It contains internal control provisions but does not contain checklists for conducting internal control reviews.

Committee Continuance Approval. Not used.

Supplementation. Supplementation of this regulation and establishment of command or local forms are prohibited without prior approval from HQDA (DAMO-ODL), WASH DC 20310-0440.

Interim Changes. Army interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration date unless sooner superseded or rescinded.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAMO-ODL), WASH DC 20310-0440.

Committee establishment approval. The Department of the Army Committee Management Officer concurs in the establishment of the Armed Forces Disciplinary Control Board.

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Contents (Listed by paragraph and page number)

Chapter 1

Introduction, page 1

Section I

Overview, page 1

Purpose 1-1, page 1

References 1-2, page 1

Explanation of abbreviations and terms 1-3, page 1

Section II

Responsibilities, page 1

Joint Armed Forces Disciplinary Control Board 1-4, page 1

Joint Service commanders 1-5, page 1

Army commanders 1-6, page 1

Chapter 2

Armed Forces Disciplinary Control Board, page 1

Establishment of Armed Forces Disciplinary Control Boards 2-1, page 1

Composition of boards 2-2, page 1

Participation by civil agencies 2-3, page 1

Duties and functions of boards 2-4, page 2

Administration 2-5, page 2

Off-limits establishments and areas 2-6, page 2

Chapter 3

Off-Installation Operations (Military Police Patrols and Investigative Activities) and Policy, page 2

Objectives 3-1, page 2

Coast Guard policy 3-2, page 2

Army policy 3-3, page 2

Air Force policy 3-4, page 3

Navy policy 3-5, page 3

Marine Corps policy 3-6, page 3

Operations 3-7, page 3

Appendixes

A. References, page 4

B. Armed Forces Disciplinary Control Board Procedures Guide, page 4

Figure List

Figure B-1. AFDCB letter of notification, page 6

Figure B-2. AFDCB letter of appreciation, page 6

Figure B-3. AFDCB letter of invitation, page 6

Figure B-4. AFDCB off-limits approval letter, page 7

Figure B-5. AFDCB letter of declaration of off-limits, page 7

Figure B-6. AFDCB letter of notification of continuance of off-limits restrictions after appearance before the AFDCB, page 8

Figure B-7. AFDCB letter of removal of off-limits restriction, page 8

Figure B-8. AFDCB notification of removal of off-limit restriction, page 8

Figure B-9. Format for AFDCB meeting minutes, page 9

Glossary

Index

Chapter 1

INTRODUCTION

Section I--Overview

1-1. Purpose

This regulation prescribes policies, and procedures for the establishment, and operation of Armed Forces Disciplinary Control Boards (AFDCBs), and off-installation military police patrols.

1-2. References

Required and related publications, and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

Section II--Responsibilities

1-4. Joint Armed Forces Disciplinary Control Board

The following will develop and have staff supervision over AFDCB and off-installation enforcement policies--

- a. The Deputy Chief of Staff for Operations and Plans (DAMO-ODL), Headquarters, Department of the Army (HQDA). This official serves as the proponent for this regulation, and has primary responsibility for its content.
- b. Chief of Security Police, Air Force Office of Security Police, Department of the Air Force.
- c. Director, Naval Criminal Investigative Service.
- d. Commandant of the Marine Corps.
- e. Commandant of the Coast Guard.

1-5. Joint Service commanders

a. Major Army commanders, Air Force commanders, Navy regional coordinators, Marine Corps commanders, and Coast Guard commanders will--

- (1) Determine level and degree of participation by subordinate commanders in joint Service boards, when appropriate.
- (2) Resolve differences among subordinate commanders regarding board areas of responsibility, and the designation of sponsoring commanders.
- (3) Evaluate board recommendations, and actions from subordinate sponsoring commanders.
- (4) Forward recommendations to HQDA (DAMO-ODL), WASH DC 20310-0440, regarding circumstances that require Service headquarters action or programs having widespread applicability.

(5) Ensure that subordinate commanders assess the availability of drug abuse paraphernalia in the vicinity of Department of Defense (DOD) installations through their AFDCBs, according to DOD Directive 1010.4. Coast Guard commanders should refer to COMDTINST M1000.6 series, chapter 20, for guidance on Coast Guard substance abuse policies.

b. Military installation commanders for off-installation enforcement actions will--

- (1) Conduct off-installation operations as authorized by law and Service policy.
- (2) Coordinate off-installation operations with other Service commanders, as applicable, for uniformity of effort, and economy of resources.
- (3) Assist Federal, State, and local law enforcement agencies within the limits imposed by law and DOD policy.
- c. Sponsoring commanders will provide administrative support for AFDCB programs to include the following--
 - (1) Promulgating implementing directives, and convening the board.
 - (2) Providing a recorder for the board.
 - (3) Providing copies of the minutes of board meetings to other Service commanders who are represented on the board, and to other AFDCBs as appropriate.

(4) Approving or disapproving the minutes, and recommendations of the board, and making appropriate distribution, as required.

(5) Publishing lists of off-limits establishments and areas.

(6) Ensuring that responsible individuals are notified of any unfavorable actions being contemplated or taken regarding their establishments per appendix B.

(7) Distributing pertinent information to the following--

- (a) All units within their jurisdictional area.
- (b) Units stationed in other areas whose personnel frequent their area of jurisdiction.
- (8) Ensuring that procedures are established to inform all Service personnel, including those who may be visiting or are in a travel status, of off-limits restrictions in effect within the respective AFDCB's jurisdictional area.

1-6. Army commanders

Commanders of Army installations depicted in AR 5-9, appendix B, are responsible for coordinating activities of AFDCBs in their areas. They may serve as sponsoring commanders or participate as members of joint Service boards. They may approve the establishment of a separate AFDCB for Army installations when it is in the best interest of the Army to do so. Changes in AFDCB areas of responsibility must be approved by major Army commands (MACOMs) of installations concerned.

Chapter 2

ARMED FORCES DISCIPLINARY CONTROL BOARD

2-1. Establishment of Armed Forces Disciplinary Control Boards

AFDCBs may be established by installation, base, or station commanders to advise and make recommendations to commanders on matters concerning eliminating conditions which adversely affect the health, safety, morals, welfare, morale, and discipline of the Armed Forces.

a. For the Army, routine off-limits actions must be processed by an AFDCB following the procedures in paragraph 2-6 and appendix B.

b. Coast Guard commanders must have written authorization from the Commandant (G-PS) prior to establishing an AFDCB.

2-2. Composition of boards

a. Boards should be structured according to the needs of the command, with consideration given to including representatives from the following functional areas--

- (1) Law enforcement.
- (2) Legal counsel.
- (3) Medical, health, and environmental protection.
- (4) Public affairs.
- (5) Equal opportunity.
- (6) Fire and safety.
- (7) Chaplains' service.
- (8) Alcohol and drug abuse.
- (9) Personnel and community activities.
- (10) Consumer affairs.

b. Sponsoring commanders will designate a board president, and determine by position which board members will be voting members. Such designations will be included in a written agreement establishing the board.

2-3. Participation by civil agencies

a. Civil agencies or individuals may be invited to board meetings as observers or witnesses where they know of problem areas within the board's jurisdiction.

b. Announcements and summaries of board results may be provided to appropriate civil agencies.

2-4. Duties and functions of boards

The AFDCBs will--

- a. Meet as prescribed by appendix B.
- b. Receive reports, and take appropriate action on conditions in their area of responsibility relating to any of the following-
 - (1) Disorders and lack of discipline.
 - (2) Prostitution.
 - (3) Sexually transmitted disease.
 - (4) Liquor violations.
 - (5) Racial and other discriminatory practices.
 - (6) Alcohol and drug abuse.
 - (7) Drug abuse paraphernalia.
 - (8) Criminal or illegal activities involving cults or hate groups.

(9) Illicit gambling.

(10) Areas susceptible to terrorist activity.

(11) Unfair commercial or consumer practices.

(12) Other undesirable conditions that may adversely affect members of the military or their families.

c. Report to all major commanders in the board's area of responsibility--

(1) Conditions cited in b above.

(2) Recommended action as approved by the board's sponsoring commander.

d. Coordinate with appropriate civil authorities on problems or adverse conditions existing in the board's area of jurisdiction.

e. Make recommendations to commanders in the board's area of jurisdiction concerning off-installation procedures to prevent or control undesirable conditions.

2-5. Administration

a. Commanders are authorized to acquire, report, process, and store

information concerning persons and organizations, whether or not affiliated with DOD, according to the applicable Service regulations of the sponsoring commander, which--

(1) Adversely affect the health, safety, morals, welfare, or discipline of service members regardless of status.

(2) Describes crime conducive conditions where there is a direct Service interest.

b. Information described in a above may be filed by organization. However, it will not be retrievable on the basis of individual personal identification data (social security number, name, or address).

c. Boards will function under the supervision of a president (para 2-2b).

d. Certain expenses incurred by Service members in the course of an official board investigation or inspection may be reimbursable per appropriate Service finance regulations or instructions. Requests for reimbursement will be submitted through the sponsoring commander.

e. Records of board proceedings will be maintained as prescribed by records management policies, and procedures of the sponsoring commander's Service.

2-6. Off-limits establishments and areas

a. The establishment of off-limits areas is a function of Command. It may be used by commanders to help maintain good discipline, health, morals, safety, and welfare of service members. Off-limits action is also intended to prevent service members from being exposed to or victimized by crime-conducive conditions. Where sufficient cause exists, commanders retain substantial discretion to declare establishments or areas temporarily off-limits to personnel of their respective commands in emergency situations. Temporary off-limits restrictions issued by commanders in an emergency situation will be acted upon by the AFDCB as a first priority. As a matter of policy, a change in ownership, management, or name of any off-limits establishment does not, in and of itself, revoke the off-limits restriction.

b. Service members are prohibited from entering establishments or areas declared off-limits according to this regulation. Violations may subject the member to disciplinary action per applicable Service regulations, and the Uniform Code of Military Justice (UCMJ). Family members of service members and others associated with the Service or installation should be made aware of off-limits restrictions. As a general policy, these establishments will not be visited by Service law enforcement personnel unless specifically determined by the installation commander that visits or surveillance are warranted.

c. Prior to initiating AFDCB action, installation commanders will attempt to correct adverse conditions or situations through the assistance of civic leaders or officials.

d. Prior to recommending an off-limits restriction, the AFDCB will send a written notice (certified mail-return receipt requested) to the individual or firm responsible for the alleged condition or situation. The AFDCB will specify in the notice a reasonable time for the condition or situation to be corrected, along with the opportunity to present any relevant information to the board. If subsequent investigation reveals that the responsible person has failed to take corrective action, the board will recommend the imposition of the off-limits restriction. (See app B-6d)

e. A specified time limit will not be established when an off-limits restriction is invoked. The adequacy of the corrective action taken by the responsible individual will be the determining factor in removing an off-limits restriction.

f. A person whose establishment or area has been declared off-limits may at any time petition the president of the board to remove the off-limits restriction. The petition will be in writing and will include a detailed report of action taken to eliminate the condition or situation that caused imposition of the restriction. The president of the AFDCB may direct an investigation to determine the status of corrective actions noted in the petition. The board will either recommend removal or continuation of the off-limits restriction to the local sponsoring commander based on the results of the investigation.

g. Off-limits procedures to be followed by the boards are in appendix B. In the United States, off-limits signs will not be posted on civilian establishments by U.S. military authorities.

h. In areas Outside of the Continental United States (OCONUS), off-limits and other AFDCB procedures must be consistent with existing Status of Forces Agreements (SOFAs).

Chapter 3

OFF-INSTALLATION OPERATIONS (MILITARY POLICE PATROLS AND INVESTIGATIVE ACTIVITIES) AND POLICY

3-1. Objectives

The primary objectives of off-installation operations are to--

- a. Render assistance and provide information to Service members.
- b. Preserve the safety, and security of service members.
- c. Preserve order among Service members and reduce off-installation incidents and offenses.
- d. Maintain effective cooperation with civil authorities, and community leaders.

3-2. Coast Guard policy

This chapter is not applicable to the U.S. Coast Guard.

3-3. Army policy

a. Soldiers or military police performing off-installation operations must be thoroughly familiar with applicable agreements, constraints of the Posse Comitatus Act (18 USC 1385), and AR 500-51 in the Continental United States (CONUS), and United States-host nation agreements in areas OCONUS.

b. Military police assigned to off-installation operations have the sole purpose of enforcing regulations, and orders pertaining to persons subject to their jurisdiction.

c. Military police accompanying civil police remain directly responsible to, and under the command of, U.S. Army superiors. Military police may come to the aid of civil police to prevent the commission of a felony or injury to a civilian police officer.

d. MACOM commanders may authorize subordinate commanders to establish off-installation operations within the limits imposed by higher authority, the Posse Comitatus Act (18 USC 1385) in CONUS, and United States-host nation agreements in OCONUS--

(1) To assist Federal, State, and local law enforcement agencies.

(2) In conjunction with military activities.

(3) To safeguard the health and welfare of soldiers.

(4) When the type of offenses or the number of soldiers frequenting an area is large enough to warrant such operations.

e. The constraints on the authority of soldiers to act off-installation, (Posse Comitatus Act (18 USC 1385) and AR 500-51 in CONUS and United States-host nation agreements in OCONUS) and the specific scope of off-installation operations will be clearly delineated in all authorizations for off-installation operations. Off-installation operations will be coordinated with the local installation commander through the Staff Judge Advocate (SJA), or higher authority, and appropriate civilian law enforcement agencies.

3-4. Air Force policy

See AFR 125-3 for Air Force policy on off-installation operations.

3-5. Navy policy

The following policies apply to off-installation operations-

a. Article 3420340, Naval Military Personnel Manual, and Navy Regulations, Article 0922 concerning the establishment and operation of a shore patrol.

b. In regard to absentees and deserters, Navy Absentee Collection Units collect, and process apprehended absentees and deserters, escort apprehended absentees, and deserters to their parent commands or to designated processing activities, escort prisoners between confinement facilities, and provide continuous liaison with civilian law enforcement authorities.

3-6. Marine Corps policy

a. Within CONUS--

(1) Commanders may request authority from Headquarters, Marine Corps (Code POS), to establish off-installation operations--

(a) To assist Federal, State, and local law enforcement agencies within the limits imposed by higher authority and the Posse Comitatus Act (18 USC 1385).

(b) In conjunction with military operations.

(c) To safeguard the health, and welfare of Marines.

(d) When the type of offenses or the number of service members frequenting an area is large enough to warrant such operations.

(2) Constraints on the authority of military personnel to act off-installation (Posse Comitatus Act (18 USC 1385)) and the specific scope of the authority will be clearly delineated in all authorizations for off-installation operations.

b. Within OCONUS, off-installation operations will be kept at the minimum needed for mission accomplishment. Installation commanders may authorize off-installation operations as required by local conditions and customs, as long as they are conducted in accordance with applicable treaties and SOFAs.

c. Off-installation operations will be coordinated with the local installation commander through the SJA, or higher authority, and local law enforcement authorities.

d. Marines selected for off-installation operations must--

(1) Have mature judgment and law enforcement experience.

(2) Be thoroughly familiar with all applicable agreements and implementing standard operating procedures, to include the constraints of the Posse Comitatus Act (18 USC 1385), in CONUS and United States-host nation agreements in OCONUS, as applicable.

e. Marines accompanying civil police during off-installation operations do so only to enforce regulations and orders pertaining to persons subject to their jurisdiction. Marines assigned off-installation operations remain directly responsible to, and under the command of their Marine superiors when accompanying civil police. Marines performing such duties may come to the aid of civil police in order to prevent the commission of a felony or injury to a civilian police officer.

f. Procedures for absentee and deserter collection units to accept an active-duty absentee or deserter from civilian authorities may be established.

g. Civil police and civil court liaison may be established.

3-7. Operations

When an incident of substantial interest to the Service, involving Service property or affiliated personnel, occurs off-installation, the Service law enforcement organization exercising area responsibility will--

a. Obtain copies of civil law enforcement reports for processing or forwarding according to applicable Service regulations.

b. Return apprehended persons to representatives of their Service as soon as practicable.

Appendix A--References

Section I--Required Publications

AFR 125-3, *Security Police Policies and Procedures*. (Cited in para 3-4.)

AR 5-9, *Intraservice Support Installation Area Coordination*. (Cited in para 1-6.)

AR 500-51, *Emergency Employment of Army and Other Resources Support to Civilian Law Enforcement*. (Cited in para 3-3a.) COMDTINST M1000.6 series. (Cited in para 15a(5).) *NAVAL MILITARY PERSONNEL MANUAL*. (Cited in para 3-5a.)

Section II--Related Publications

AR 11-2, *Internal Management Control*

AR 195-2, *Criminal Investigation Activities*

AR 360-5, *Army Public Affairs, Public Information*

AR 380-13, *Acquisition and Storage of Information Concerning Nonaffiliated Persons and Organizations*

COMDTINST M5228.2, *Coast Guard Public Affairs Manual*

COMDTINST M5260.2-series, *Privacy and Freedom of Information Act (FOIA) Manual*

DOD Directive 1010.4, *Alcohol and Drug Abuse by DoD Personnel*

DOD Directive 5400.7, *DoD Freedom of Information Act Program (PA)*

Uniform Code of Military Justice

Section III--Prescribed Forms

This section contains no entries.

Section IV--Referenced Forms

This section contains no entries.

Appendix B--Armed Forces Disciplinary Control Board Procedures Guide

B-1. Purpose

This guide prescribes procedures for the establishment, operation, and coordination of AFDCBs. AFDCB proceedings are not adversary in nature.

B-2. Meetings

a. The board meets as often as the installation, area, or sponsoring commander establishing the AFDCB determines. The commander establishing the AFDCB may specify whether the meetings will be open or closed. If not specified, the decision is at the discretion of the president of the board. Normally proceedings are closed, but may be opened to the public when circumstances warrant.

b. Special meetings may be called by the president of the board. Except by unanimous consent of members present, final action will be taken only on the business for which the meeting was called.

c. A majority of voting members constitutes a quorum for board proceedings.

B-3. AFDCB composition

Voting members will be selected per paragraph 2-2 of this regulation.

B-4. Attendance of observers or witnesses

a. The board may invite individual persons or organization representatives as witnesses or observers if they are necessary or appropriate for the conduct of board proceedings. The below listed authorities may assist in addressing installation or command concerns or issues.

(1) Federal, State, and local judicial, legislative, and law enforcement officials.

(2) Housing regulation and enforcement authorities.

(3) Medical, health, and social service authorities.

(4) Environmental protection authorities.

(5) Alcoholic beverage control authorities.

(6) Equal employment opportunity authorities.

(7) Consumer affairs advocates.

(8) Chambers of Commerce representatives.

(9) Public works or utility authorities.

(10) Local fire marshal, and public safety authorities.

(11) State and local school board or education officials.

(12) Any other representation deemed appropriate by the sponsoring command; such as, news media, union representatives, and so forth.

b. Invited witnesses and observers will be listed in the minutes of the meeting.

B-5. Appropriate areas for board consideration

a. Boards will study and take appropriate action on all reports of conditions considered detrimental to the good discipline, health, morals, welfare, safety, and morale of Armed Forces personnel. These adverse conditions include, but are not limited to, those identified in paragraph 2-4.

b. The board will immediately forward to the local commander reported circumstances involving discrimination based on race, color, sex, religion, age, or national origin.

B-6. Off-limit procedures

a. Off-limits restrictions should be invoked only when there is substantive information indicating that an establishment or area frequented by Armed Forces personnel presents conditions which adversely affect their

health, safety, welfare, morale, or morals. It is essential that boards do not act arbitrarily. Actions must not be of a punitive nature. Boards should work in close cooperation with local officials and proprietors of business establishments, and seek to accomplish their mission through mutually cooperative efforts. Boards should encourage personal visits by local military, and civilian enforcement or health officials to establishments considered below standard. AFDCBs should point out unhealthy conditions or undesirable practices to establishment owners or operators to produce the desired corrective action.

b. In cases involving discrimination, the board should not rely solely on letters written by the Equal Opportunity Office, and Military Affairs Committee or investigations of alleged racial discrimination.

c. If the board decides to attempt to investigate or inspect an establishment, the president or a designee will prepare, and submit a report of findings, and recommendations at the next meeting. This procedure will ensure complete, and documented information concerning questionable adverse conditions.

d. When the board concludes that conditions adverse to Armed Forces personnel do exist, the owner or manager will be sent a letter of notification (fig B-1). This letter will advise him or her to raise standards by a specified date, and, if such conditions or practices continue, off-limits proceedings will be initiated. Any correspondence with the individuals responsible for adverse conditions which may lead to off-limits action will be by certified mail.

e. If a proprietor takes remedial action to correct undesirable conditions previously noted, the board should send a letter of appreciation (fig B-2) recognizing this cooperation.

f. If undesirable conditions are not corrected, the proprietor will be invited to appear before the AFDCB to explain why the establishment should not be placed off-limits (fig B-3). Any proprietor may designate in writing a representative to appear before the board in his or her behalf.

g. In cases where proprietors have been invited to appear before the board, the president of the board will perform the following--

(1) Prior to calling the proprietor--

(a) Review the findings and decision of the previous meeting.

(b) Call for inspection reports.

(c) Allow those present to ask questions, and discuss the case.

(2) When the proprietor or his or her representative is called before the board--

(a) Present the proprietor with a brief summary of the complaint concerning the establishment.

(b) Afford the proprietor an opportunity to present matters in defense.

(c) Invite those present to question the proprietor. After the questioning period, provide the proprietor an

opportunity to make a final statement before being dismissed.

(3) Deliberations on recommended actions will be in closed session, attended only by board members.

h. The board should recommend an off-limits restriction only after the following:

(1) The letter of notification (fig B-1) has been sent.

(2) An opportunity for the proprietor to appear before the board has been extended.

(3) Further investigation indicates that improvements have not been made.

i. The minutes will indicate the AFDCB's action in each case. When a recommendation is made to place an establishment off-limits, the minutes will show the procedural steps followed in reaching the decision.

j. Recommendations of the AFDCB will be submitted to the sponsoring commander for consideration. The recommendations will then be forwarded to other installation commanders who are represented on the board (fig B-4). If no objection to the recommendations is received within 10 days, the sponsoring commander will approve or disapprove

the recommendations and forward the decision to the AFDCB president.

k. Upon approval of the AFDCB's recommendations, the president will write the proprietor that the off-limits restriction has been imposed (fig B-5).

l. A time limit should not be specified when an off-limits restriction is revoked. The adequacy of the corrective action taken by the proprietor of the establishment must be the determining factor in removing the off-limits restriction.

m. Military authorities may not post off-limits signs or notices on private property.

n. In emergencies, commanders may temporarily declare establishments or areas off-limits to service members subject to their jurisdiction. The circumstances for the action will be reported as soon as possible to the commander sponsoring the board. Detailed justification for this emergency action will be provided to the board for its deliberations.

o. Appropriate installation commanders will publish a list of off-limits establishments and areas using command and media channels.

B-7. Removal of off-limits restrictions

a. Removal of an off-limits restriction requires AFDCB action. Proprietors of establishments declared off-limits should be advised that they may appeal to the appropriate AFDCB at any time. In their appeal they should submit the reason why the restriction should be removed. A letter of notification for continuance of the off-limits restriction should be sent to the proprietor if the AFDCB does not remove the off-limits restriction (fig B-6). The proprietor may appeal to the next higher commander if not satisfied with continuance after exhausting all appeals at the local sponsoring commander level. Boards should make at least quarterly inspections of off-limits establishments. A

statement that an inspection has been completed should be included in AFDCB minutes.

b. When the board learns that the proprietor has taken adequate corrective measures, the AFDCB will take the following actions:

(1) Discuss the matter at the next meeting and make an appropriate recommendation.

(2) Forward a recommendation for removal of the off-limits restriction to the sponsoring commander. If approved, a letter removing the restriction (figs B-7 or B-8) will be sent to the proprietor.

(3) The minutes will reflect action taken.

B-8. Duties of the AFDCB president

The president of the AFDCB will--

a. Schedule and preside at all AFDCB meetings.

b. Provide an agenda to each voting member at least 72 hours prior to the meeting.

c. Ensure records, minutes, and correspondence are prepared, distributed, and maintained per this regulation (para 2-5e).

B-9. Commanders

The installation commander, and commanders within an AFDCB's area of responsibility must be thoroughly acquainted with the mission and services provided by AFDCBs. AFDCB members should keep their respective commanders informed of command responsibilities pertaining to AFDCB functions and actions.

B-10. Public affairs

a. Due to the sensitive nature of the subject matter, there will not be a media release in connection with AFDCB meetings. However, any AFDCB proceeding which is open to the public will also be open to representatives of the news media. Representatives of the news media will

be considered observers, and will not participate in matters considered by the AFDCB. Members of the news media may be invited to participate in an advisory status in coordination with the public affairs office.

b. News media interviews and releases will be handled through the public affairs office according to applicable Service regulations.

B-11. Minutes

a. Minutes will be prepared in accordance with administrative formats for minutes of meetings prescribed by the Service of the sponsoring commander (fig B-9). The written minutes of AFDCB meetings will constitute the official record of the AFDCB proceedings. Verbatim transcripts of board meetings are not required. The reasons for approving or removing an off-limits restriction, to include a complete address of the establishment or area involved, should be indicated in the order of business. In addition, the AFDCB's action will be shown in the order or sequence of actions taken. A change in the name of an establishment or areas in an off-limits restriction will also be included.

b. Distribution of the minutes of AFDCB meetings will be limited to the following--

(1) Each voting member, sponsoring command, and commands and installations represented by the board.

(2) Each civilian and military advisory member, if deemed appropriate.

(3) Civilian and Government agencies within the State in which member installations are located having an interest in the functions of the board, if appropriate.

c. AFDCB minutes are subject to release and disclosure in accordance with applicable Service regulations and directives.

d. Minutes and recommendations of the board will be forwarded to the sponsoring commander for approval.

Figure B-1. AFDCB letter of notification (Letterhead)

Proprietor

Dear Sir:

This letter is to inform you that it has come to the attention of the Armed Forces Disciplinary Control Board (AFDCB) that certain conditions reported at your establishment may adversely affect the (health, safety, or welfare) of members of the Armed Forces.

The AFDCB is initiating action to determine whether your establishment (area) should be placed off-limits to members of the Armed Forces if (cite conditions) are not corrected by (date).

A representative of the AFDCB will visit your establishment to determine if steps have been taken to correct the conditions outlined above.

Sincerely,

John J. Smith, Colonel, U.S. Army
President, Armed Forces Disciplinary Control Board

(Note: Use certified mail, return receipt requested if mailed.)

**Figure B-2. AFDCB letter of appreciation
(Letterhead)**

Proprietor

Dear Sir:

This is in reference to my letter of (date) concerning the condition(s) reported at your establishment which adversely affected the health and welfare of members of the Armed Forces.

The Board appreciates your action to correct the condition previously noted and does not contemplate further action with respect to this specific matter.

Your continued cooperation is solicited.

Sincerely,

John J. Smith, Colonel, U.S. Army
President, Armed Forces Disciplinary Control Board

**Figure B-3. AFDCB letter of invitation
(Letterhead)**

Proprietor

Dear Sir:

This is in reference to my letter of (date) concerning the condition reported at your establishment which adversely affects the (health, safety, or welfare) of members of the Armed Forces. Information has been received by the board which indicates you have not taken adequate corrective action to eliminate the reported condition.

Reports presented to the Armed Forces Disciplinary Control Board (AFDCB) indicate (list and describe conditions).

You are advised that the AFDCB will initiate action to determine whether your establishment should be declared off-limits to members of the Armed Forces.

You may appear in person, with or without counsel, before the AFDCB at its next scheduled meeting on (date, time, and place). At that time you will have the opportunity to refute the allegation, or to inform the board of any remedial action you have taken or contemplate taking to correct the condition. It is requested that you inform the President of the AFDCB if you plan to attend.

Any questions regarding this matter may be addressed to the President, Armed Forces Disciplinary Control Board, (address). Every effort will be made to clarify the matter for you.

Sincerely,

John J. Smith, Colonel, U.S. Army
President, Armed Forces Disciplinary Control Board

(Note: Send certified mail-return receipt requested, if mailed.)

**Figure B-4. AFDCB off-limits approval letter
(Letterhead)**

Office Symbol

MEMORANDUM FOR (Commanders of Supported Installations)

SUBJECT: Establishments or Areas Recommended for Off-Limits Designation

1. On (date), the Armed Forces Disciplinary Control Board (AFDCB) recommended imposition of the following off-limits restrictions: (name and address of establishment)
2. Commanders furnishing AFDCB representatives are requested to provide any comments within 10 days as to whether (name of establishment or area) should be placed off-limits.
3. A copy of the AFDCB minutes and recommendation is enclosed.

FOR THE (SPONSORING) COMMANDER:

Encl

JOHN SMITH, Colonel, U.S. Army
President, Armed Forces Disciplinary Control Board

**Figure B-5. AFDCB letter of declaration of off-limits
(Letterhead)**

Proprietor

Dear Sir:

This letter is to inform you that your establishment has been declared off-limits to members of the Armed Forces effective (date). Members of the Armed Forces are prohibited from entering your establishment (premises) as long as this order is in effect. This action is being taken because of (state the conditions) which are detrimental to the (health or welfare) of members of the Armed Forces.

This restriction will remain in effect indefinitely in accordance with established Armed Forces policy. Removal of the restriction will be considered by the Armed Forces Disciplinary Control Board upon presentation of information that satisfactory corrective action has been taken.

Correspondence appealing this action may be submitted to the President, Armed Forces Disciplinary Control Board, (cite address).

Sincerely,

John J. Smith, Colonel, U.S. Army
President, Armed Forces Disciplinary Control Board

**Figure B-6. AFDCB letter of notification of continuance of off-limits restrictions after appearance before the AFDCB
(Letterhead)**

Proprietor

Dear Sir:

The Armed Forces Disciplinary Control Board (AFDCB) did not favorably consider your request for removal of the off-limits restriction now in effect at your establishment.

This decision does not preclude further appeals or appearances before the AFDCB at any of its scheduled meetings. Correspondence pertaining to this matter should be addressed to the President, Armed Forces Disciplinary Control Board, (cite address).

Sincerely,

John J. Smith, Colonel, U.S. Army
President, Armed Forces Disciplinary Control Board

**Figure B-7. AFDCB letter of removal of off-limits restriction
(Letterhead)**

Proprietor

Dear Sir:

This letter is to inform you that the off-limits restriction against (name of establishment) is removed effective (date). Members of the Armed Forces are permitted to patronize your establishment as of that date.

The corrective actions taken in response to the concerns of the Armed Forces Disciplinary Control Board are appreciated.

Sincerely,

John J. Smith, Colonel, U.S. Army
President, Armed Forces Disciplinary Control Board

**Figure B-8. AFDCB notification of removal of off-limits restriction
(Letterhead)**

Proprietor

Dear Sir:

This letter is to inform you that your request for removal of the off-limits restriction now in effect at (name of establishment) was favorably considered by the Armed Forces Disciplinary Control Board (AFDCB).

This restriction will be removed effective (date). Members of the Armed Forces will be permitted to patronize your establishment as of that date.

The corrective actions taken in response to the concerns of the AFDCB are appreciated.

Sincerely,

John J. Smith, Colonel, U.S. Army
President, Armed Forces Disciplinary Control Board

**Figure B-9. Format for AFDCB meeting minutes
(Letterhead)**

MEMORANDUM FOR

SUBJECT: Armed Forces Disciplinary Control Board

1. Pursuant to authority contained in AR 190-24/AFI 31-213/OPNAVINST 1620.2A/MCO 1620.2C/and COMDTINST 1620.1D, Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations, the (area) Armed Forces Disciplinary Control Board convened at (place), (date).

2. The following voting members were present: (List names, titles, and addresses.)

3. The following military members were present: (List names, titles, and addresses.)

4. The following civilian advisory members were present: (List names, titles, and addresses.)

5. Order of business:

- a. Call to order.
- b. Welcome.
- c. Introduction of members and guests.
- d. Explanation of purpose of board.
- e. Reading of minutes.
- f. Unfinished or continuing business.
- g. New business (subparagraph as necessary).
- h. Recommendations.

- (1) List of areas and establishments being placed in an off-limits restriction. Include complete name and address (or adequate description of an area) of any establishment listed.
- (2) List of areas and establishments being removed from off-limits restrictions. Include complete name and address (or adequate description of an area) of any establishment listed.
- (3) Other matters or problems of mutual concern.
 - i. Time, date, and place for next board meeting.
 - j. Adjournment of the board.

(Board Recorder's Name)
(Rank, Branch of Service)
Recorder, Armed Forces Disciplinary Control Board

Approved:
(Board President's Name)
(Rank, Branch of Service)
President, Armed Forces Disciplinary Control Board

(**NOTE:** The minutes of the board proceedings will be forwarded by official correspondence from the board president to the sponsoring commander for approval of the board's recommendations. By return endorsement, the sponsoring commander will either approve or disapprove the board's recommendations.)

Glossary

Section I--Abbreviations

AFDCB	Armed Forces Disciplinary Control Board
COMDTINST	Commandant Instruction
CONUS	Continental United States
DOD	Department of Defense
HQDA	Headquarters, Department of the Army
MACOM	major Army command
MCO	Marine Corps order
MILPERSMAN	military personnel manual
OCNUS	Outside of the Continental United States
SOFA	Status of Forces Agreement
SJA	Staff Judge Advocate
SNDL	standard Navy distribution list
UCMJ	Uniform Code of Military Justice

Section II--Terms

Installations--Such real properties as depots, arsenals, ammunition plants (both contractor and Government operated), hospitals, terminals, and other special mission facilities, as well as other property used primarily by Service personnel.

Off-limits--The designation for any vehicle, conveyance, place, structure, building, or area which service members are prohibited to use, ride, visit, or enter during the period of the off-limits declaration until existent conditions which adversely affect the health, safety, and welfare of Service personnel are eliminated or corrected.

Posse Comitatus Act--The law (section 1385, title 18, United States Code) which specifically prohibits the use of the U.S. Army and Air Force for the purpose of posse comitatus or civil law functions unless specific constitutional provisions are in effect which deal with a declared state of martial law.

Sponsoring commander--The commander of the Service with the greatest number of military personnel at an

installation where two or more Services are located or which is frequented by personnel of two or more Services.

Section III--Special Terms

This section contains no entries.

Subject Index

This index is organized alphabetically. Topics and subtopics are identified by paragraph number.

Armed Forces Disciplinary Control Boards
 Administration, 2-6
 Areas for board consideration, 2-4, B-5
 Board composition, 2-2
 Duties and functions, 2-4
 Establishment, 2-1
 Meetings, B-2
 Minutes, B-11
 Observers and witnesses, B-4
 Procedures guide, 2-1
 Civil agencies, 2-4
 Detrimental conditions, 2-4, B-5
 Duties of board president,
 Emergencies, 2-6, B-6
 Installation commander and board relationship, B-9
 Investigations, B-6
 Off-installation liaison and operations, 3-1, 3-8
 Off-limits procedures, B-6
 Policy, 2-1
 Air Force, 3-4
 Army, 3-3
 Coast Guard, 3-2
 Marine Corps, 3-6
 Navy, 3-5
 Public affairs, B-10
 Records, 2-5
 Removal of off-limits restrictions, B-7
 Responsibilities, 2-2
 Voting, B-2

By Order of the Secretary of the Army:

GORDON R. SULLIVAN
 General, United States Army
 Chief of Staff

Official:

MILTON H. HAMILTON
 Administrative Assistant to the
 Secretary of the Army

By Order of the Secretary of the Navy:

FRANK B. KELSO, II
 Admiral, United States Navy
 Chief of Naval Operations

Official:

F. J. HERRON
 Captain, United States Navy
 Assistant Vice Chief of Naval Operations

NORMAN E. EHLERT
 Lieutenant General, United States

By Order of the Secretary of Transportation

J. WILLIAM KIME
 Admiral, United States Coast Guard
 Commandant

Official:

JAMES M. LOY
 Rear Admiral, United States Coast Guard
 Chief, Office of Personnel and Training

Air Force:

Marine Corps
Deputy Chief of Staff for Plans,
Policies and Operations

STEPHEN C. MANNELL, Brig General, USAF
Chief of Security Police